

SHRI RAM NAIK: It is not so, if I were there even then it would have happened. In 1991, I was there but the Government stepped down. Once Lok Sabha was dissolved and next time the Government stepped down but now it has become a history and there was a lengthy discussion on it as to why did the Government step down and why did the Government not bring this Bill. Without going into that aspect, I request the hon. Minister to fulfil her assurance and I shall wait for the same. I expect the Government to bring this Bill in the next session and if it is brought in the next session, be rest assured that this Government will remain in power till the next session.

KUMARI MAMTA BANERJEE: It is not so, our Government will remain in power. It is not as you think. (Interruptions)

SHRI RAM NAIK: No, you have said just now that it is not known how long this Government will continue but I do not wish to blame anyone.

KUMARI MAMTA BANERJEE: I never said like that but what I pointed out was that last time the Bill could not be brought because the House was dissolved. (Interruptions)

SHRI TEJ NARAYAN SINGH (Buxar): We are here to run the Government. Don't be afraid. (Interruptions)

SHRI RAM NAIK: I have no intention to accuse anyone. I request the Government to bring a comprehensive Bill in the next session for which the Minister has given an assurance. That Bill should certainly be brought and with this, the House should permit me to withdraw this Bill. This is what I want to submit.

[English]

MR. CHAIRMAN: The question is:

"That leave be granted to withdraw the Bill to provide for the regulation of pro-

duction, supply and distribution of infant foods and feeding bottles with a view to the protection and promotion of breast-feeding and for matters connected therewith or incidental thereto."

The motion was adopted

SHRI RAM NAIK: Sir, I withdraw the Bill.

17.52 hrs.

CONSTITUTION (AMENDMENT) BILL

(Insertion of new article 19%)
by Shri Chitta Basu

[English]

MR. CHAIRMAN: Before I call upon Shri Chitta Basu to move the motion for the consideration of the Bill, we have to fix the time limit for discussion of this Bill. Shall we fix 2 hours?

SEVERAL HON. MEMBERS: Yes, two hours.

MR. CHAIRMAN: Okay. Now, Shri Chitta Basu move his motion.

SHRI CHITTA BASU (Barasat): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, I consider it a privilege for me to bring to the notice of this House the great urgency for the incorporation of the right to information as a Fundamental Right. I am really very much grateful to Mr. Naik and you, Sir, and my sister Mamata Banerjee for whose indulgence I have been able today to rise for moving the motion for the consideration of this Bill.

Sir, the object of the Bill is very simple, but of a revolutionary nature. The object of the Bill is that we have got a chapter on

[Sh. Chitta Basu]

Fundamental Rights-Part III - of the Constitution of the country. In that Chapter, Article 19 gives us the right of protection of certain rights regarding freedom of speech etc. All citizens shall have the right (a) to freedom of speech and expression, (b) to assemble peaceably and without arms, (c) to form associations or unions (d) to move freely throughout the territory of India, (e) to reside and settle in any part of the territory of India and (f) to practise any profession or to carry on any occupation, trade or business.

These are the Fundamental Rights the Constitution enshrined. The object of my Bill is to incorporate the Right to Information as one of the Fundamental Rights of the citizens of this country and it is inviolable and for that purpose I have sought for insertion of another clause in the Constitution which is article 19A.

Sir, before proceeding further, I want to urge upon the House to take into consideration the significance of this article 19A which I propose to be adopted by the House. Sir, the right to speak and right of expression does not automatically entitle a citizen a right to information. Rather, the right to information can enable a citizen of our country to exercise the right to freedom of speech and freedom of expression.

Unless the right to information is guaranteed, excuse me and allow me to say, the right to freedom of speech, the right of expression, becomes limited. If we do not have that right, we cannot enjoy completely and fully.

The implication of it can be easily understood. What shall I speak if I am not informed?

What expression of my views will there be, if I am not given the right of information?

Therefore, the right to information is very important in order to exercise the right

to freedom of expression.

This is the basic lacuna and the basic shortcoming of the Constitution of our country.

I appreciate the circumstances under which the founding fathers of our Constitution had to ultimately frame the Constitution of our country. The country was then passing through an extraordinary situation and while giving some of the fundamental rights, the framers of the Constitution did not concede this very fundamental right. This is my first submission to the House.

Along with the question of right to information are linked other rights also. That is implicit and those implicit rights are the right to freedom of communication. If you not got, have not got that freedom of communication, you cannot have the information. If you cannot have the information, you cannot have the knowledge. If you have not the knowledge, you cannot really behave as enlightened citizen of the country. If there is no enlightened citizenry, democracy is always exposed to dangers, subversion and it will be undermined.

It is a great pleasure for us that the Constitution of our country has given us a representative form of Government.

It is a matter of great pride for India that the process of parliamentary democracy that we have initiated continues to remain in force uninterrupted.

MR. CHAIRMAN: Hon. Members, the House stands adjourned to meet again on Tuesday, the 3rd September at 1100 hours and I also take the opportunity to wish all of you a very happy and auspicious Janmash-tami.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, September 3, 1991/ Bhadra 12, 1913 (Saka)